

Wetlands Bureau Decision Report

Decisions Taken
04/03/2006 to 04/09/2006

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 20 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Brian Fowler, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2004-00007 WASTE MGMT. OF NH INC.
ROCHESTER Unnamed Wetland

Requested Action:

Dredge and fill 58,119 square feet of palustrine forested isolated wetland for expansion of an existing landfill.

Inspection Date: 12/05/2002 by Christian P Williams

Inspection Date: 09/12/2005 by Jocelyn S Degler

Inspection Date: 04/01/2004 by Christian P Williams

APPROVE PERMIT:

Dredge and fill 58,119 square feet of palustrine forested isolated wetland for expansion of an existing landfill.

With Conditions:

1. All work shall be in accordance with plans by Sanborn Head and Associates dated December 2003, as received by the Department on January 2, 2004.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Waste Management Division.
4. The permittee shall notify the NH Division of Historic Resources of the proposed project prior to the commencement of construction.
5. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
6. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Water Division permitting staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
7. Work shall be conducted during low water conditions.
8. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

Mitigation Conditions:

12. This permit is contingent upon the execution of a conservation easement on 33 acres as depicted on plans received December 9, 2005.
13. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
14. The conservation easements to be placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to this easement.
15. Signs to indicate the location of and restrictions on the area shall be posted every 150 feet along the boundary of the conservation area prior to construction.
16. The conservation easement area shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to construction.
17. The Wetlands Bureau shall be notified of the placement of the easement monuments to coordinate on-site review of their

location prior to construction.

18. There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.

19. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(c), projects that involve alteration of nontidal wetlands, nontidal surface waters, and banks adjacent to nontidal surface waters in excess of 20,000 square feet in the aggregate.
2. The existing landfill facility must be expanded in order to continue to offer waste disposal services in accordance with the State Solid Waste Management Plan.
3. The proposal will allow for an additional 59.2 acres of footprint for the expansion of TLR-I phase of the landfill.
4. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
5. All the wetlands proposed to be impacted are isolated wetlands some of which were man made.
6. The proposal to expand TLR-1 does not require the removal or taking of any residential structures.
7. The proposed expansion is projected to expand the site life of the landfill by approximately 8 years.
8. This proposal maximizes the capacity of the existing footprint of the landfill while minimizing wetland impacts.
9. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
10. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
11. DES Wetlands Bureau Staff conducted site inspections on December 5, 2002, April 1, 2004, and September 12, 2005. These site inspections noted that the wetlands to be impacted are isolated some have been man made and are of lower function and value than those located on the mitigation site.
12. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this wetland ecosystem.
13. The applicant intends to mitigate for the proposed impacts by preserving 33 acres of upland and wetland habitat along 2600 linear feet of the Cocheco River.
14. The Rochester Conservation Commission recognizes that the proposed mitigation site is of high value wetlands.
15. The proposed mitigation site contains high value flood plain wetlands, forested wetlands and wet meadow areas as well as 2600 linear feet of river bank.
16. The proposed mitigation site includes 22.5 acres of upland and 10.5 acres of wetlands.
17. The applicant has provided a letter from the Strafford Rivers Conservancy stating their interest in holding the conservation easement proposed by Waste Management Inc.
18. The NH Dept of Fish and Game has provided their concurrence with the project per the correspondence dated September 28, 2005, as received by DES September 30, 2005.
19. The applicant has provided a function and value assessment illustrating that the wetlands within the mitigation site are of greater function and values than those wetlands destroyed by the project.

2004-01586

HORIZON LAND DEVELOPMENT LLC, DAVID FRASER, PRES

AMHERST Unnamed Wetland

Requested Action:

Amend permit to include additional 646 square feet of wetlands impact to install a larger 48" x 145' culvert in a perennial stream to meet Town of Amherst road grade standards; and an additional 609 square feet of wetlands impact to install a 18" x 22' culvert to access the community water system; total additional impact 1,255 square; total amended wetlands impact 4,547 square feet.

Conservation Commission/Staff Comments:

Did not report.

Inspection Date: 08/24/2004 by Dori A Wiggin

APPROVE AMENDMENT:

Dredge and fill a total of 4,547 sq. ft. of wetlands for three road crossings for a condominium development including: a freespan bridge crossing of Joe English Brook involving 752 sq. ft. (160 linear ft.) of bank impact for abutments; 3,186 sq. ft. (420 linear ft.) of impact to install a 48" x 135' culvert in a perennial stream; and 609 square feet impact to install a 18" x 22' culvert to access the community water system.

With Conditions:

1. AMENDED: All work shall be in accordance with revised plan set by TF Moran, Inc., entitled " The Woodlands at Amherst" Sheets 1-11,13,20-32 of 53, dated 12/12/2005, as received by DES on 1/17/2006.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. There shall be no creation of trails of any sort in wetlands on the project property without further wetlands permitting for trail construction compliant with requirements for trails per Rule Wt 303.04(y).
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Culvert outlets shall be properly rip rapped.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
10. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
11. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. Plans depicting the detail of any cofferdams to be used shall be submitted to the DES prior to the start of construction for review and approval.
12. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
13. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters. Temporary cofferdams shall be entirely removed immediately following construction.
14. Work shall be done during low flow.
15. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. The changes approved in this amendment are in response to Town of Amherst requirements and meet the same standards expressed in the original permit approval findings made for this project.

2005-00049 WEST ALTON MARINA
ALTON Lake Winnepesaukee

Requested Action:

Applicant requests reconsideration of the Department's February 13, 2006 decision to deny the request to extend the length of the canopy to 34 ft.

Conservation Commission/Staff Comments:

Combined with file 2005-47 for one fender piling

DENY RECONSIDERATION:

Reconsider and reaffirm denial of request to expand the seasonal canopy dimensions to 92 ft x 34 ft.

With Findings:

Standards for Approval

1. In accordance with RSA 482-A:10, Appeals, I, "Any person aggrieved by a decision made by the department under RSA 482-A:3 or subject to an order of the department under RSA 482-A:6 may apply for reconsideration by the department".
2. In accordance with RSA 482-A:10, Appeals, II, "A request for reconsideration shall be filed with the department within 20 days of issuance of the department's decision or order. The request for reconsideration shall describe in detail each ground for complaint."
3. In accordance with RSA 482-A:10, Appeals, III, "On reconsideration, the department shall receive and consider any new and additional evidence presented, and shall make findings of fact and rulings of law in support of its decision after reconsideration."
4. In accordance with Rule Wt 302.04, Requirement for Application Evaluation, (a), 16; Applicants shall document that they have considered the cumulative impact that would result if all parties abutting Lake Winnepesaukee were allowed similar impacts.
5. In accordance with Rule Wt 402.07, Canopies; canopies shall be constructed so as not to obstruct views from adjacent property or interfere with boating or swimming safety.

Findings of Fact

6. On February 16, 2006, the Applicant submitted a request for reconsideration on the grounds that the canopy does not violate the Department's rules and policies relative to seasonal canopies and that the facilities will not impacts the views of surrounding properties or boaters utilizing the lake.
7. The Applicant cites the fact that Wetlands Bureau policy regarding canopies allows applicants to request dimensions larger than 14 ft x 30 ft provided they establish need for the increased dimensions. The policy specifically states that large boat sizes shall not be used to justify increased canopy dimensions.
8. The applicant maintains that the additional 14 ft in length out from the shoreline is necessary to accomodate increased boat sizes Of the Marina's clientele.
9. The Applicant maintains that they own all lands surrounding the project site and that the location of the marina is unique in that it is not visible from abutting properties or the main body of the lake and therefore there is no potential for similar projects and no concerns regarding cumulative impacts.
10. The justification cited by the Applicant for the increased canopy dimensions is not unique to this property and is directly related to the commercial use of the property.

Rulings in Support of the Decision

11. Increased boat sizes are not considered to be justification for exceptions to the standard canopy size therefore there is no established need for the increased impacts.
12. The Applicant does not own all properties surrounding the lot identified as Alton tax map 17, lot 29, therefore consideration of the potential impacts to abutters is required per Rule Wt 302.04.
13. The applicant has failed to consider the cumulative effect that permitting similar projects for the owners of similar commercial properties, would have on the views from adjacent property or on boating or swimming safety. Therefore request for a permit for this project is denied.

-Send to Governor and Executive Council-

2006-00019

CLAY POINT HOMEOWNERS ASSOCIATION, RUSSELL SMITH

ALTON Lake Winnepesaukee

Requested Action:

Reconfigure a previously permitted 12 slip docking structure consisting of five 4 ft by 30 ft permanent docks with one 4 ft by 30 tapered dock connected by a 144 ft long walkway along the shoreline, and install 12 seasonal boatlifts in the slips provided on 360

ft of frontage on Lake Winnepesaukee, Alton.

Conservation Commission/Staff Comments:

Con Com states grandfathered status does not permit change in configuration

Inspection Date: 03/31/2006 by Dale R Keirstead

APPROVE PERMIT:

Reconfigure a previously permitted 12 slip docking structure consisting of five 4 ft by 30 ft permanent docks with one 4 ft by 30 tapered dock connected by a 144 ft long walkway along the shoreline, and install 12 seasonal boatlifts in the slips provided on 360 ft of frontage on Lake Winnepesaukee, Alton.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction dated April 3, 2006, as received by the Department on April 3, 2006.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.
4. Repair shall maintain existing size, location and square feet of impact.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
6. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
8. Repairs to these structures may be conducted, as necessary, throughout the duration of this permit provided that the permittee notifies the Wetlands Bureau and Conservation Commission, in writing, of the proposed start and completion date prior to performing any repair.
9. Construction material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Boatlifts shall be of seasonal construction type which shall be removed for the non-boating season.
11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a major impact project per Rule Wt 303.02, d, reconfiguration of a major docking facility.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The proposed reconfiguration does not change the square feet of impact from the original approval or add any new boatslips to the frontage.
5. The reconfiguration of the existing docking facility will result in no increase in the square ft of construction surface area or number of slips provided.
6. Public hearing is waived with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.

-Send to Governor and Executive Council-

2006-00068 **STAR ISLAND CORP**
RYE **Gosport Harbor**

Requested Action:

Reconstruct, repair and reconfigure the existing Star Island stone pier and associated float system including the installation of an additional 12 ft. X 25 ft. float and attach a new 4 ft. X 5 ft. steel ramp landing to the existing stone pier together with a 3 ft. X 45 ft. ramp leading to the new float, on 5,000+ feet of shoreline frontage, to provide safer accessibility to the island.

Conservation Commission/Staff Comments:

Letter received from the Rye Historic District Commission states that the project "... has been found to be of no interest to the HDC." No report received from the Rye Conservation Commission.

APPROVE PERMIT:

Reconstruct, repair and reconfigure the existing Star Island stone pier and associated float system including the installation of an additional 12 ft. X 25 ft. float and attach a new 4 ft. X 5 ft. steel ramp landing to the existing stone pier together with a 3 ft. X 45 ft. ramp leading to the new float, on 5,000+ feet of shoreline frontage, to provide safer accessibility to the island.

With Conditions:

1. All work shall be in accordance with plans by Star Island Corporation/ Ben Fowler dated 1/5/2006, as received by the Department on January 10, 2006.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. DES Wetlands Bureau Coastal staff shall be notified in writing prior to commencement of work and upon its completion.
4. This permit shall not be effective until it has been recorded with the Rockingham County Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(a)&(b).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) &(c), Requirements for Application Evaluation, has been considered in the design of the project.
5. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this marine ecosystem.
6. Letter received from the Rye Historic District Commission states that the project "... has been found to be of no interest to the HDC."
7. No report received from the Rye Conservation Commission.
8. Report from the Pease Development Authority Division of Ports and Harbors finds: "... the project would have no negative effect on navigation in the channel."

-Send to Governor and Executive Council-

2006-00220 KREEGER, PETER & INEKE
WOLFEBORO Lake Winnepesaukee

Requested Action:

Permanently remove an existing 14 ft by 30 ft seasonal canopy and install a 30 ft by 30 ft seasonal canopy over an existing 4 ft by 34 ft cantilevered dock with one 6 ft by 33 ft finger dock along the shore and two 4 ft by 28 ft permanent finger docks in an "E" configuration attached to a existing breakwater in a "dogleg" configuration on Lake Winnepesaukee, Wolfeboro.

Conservation Commission/Staff Comments:

No comments from Con Com as of March 1, 2006

NH NHI and NH Fish and Game will not be submitting comments

Inspection Date: 03/31/2006 by Dale R Keirstead

APPROVE PERMIT:

Permanently remove an existing 14 ft by 30 ft seasonal canopy and install a 30 ft by 30 ft seasonal canopy over an existing 4 ft by 34 ft cantilevered dock with one 6 ft by 33 ft finger dock along the shore and two 4 ft by 28 ft permanent finger docks in an "E" configuration attached to a existing breakwater in a "dogleg" configuration on Lake Winnepesaukee, Wolfeboro.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction dated January 25, 2006, as received by the Department on January 30, 2006.
2. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
3. Canopies shall be of seasonal construction type with a flexible fabric cover which shall be removed for the non-boating season.
4. This permit shall not be effective until it has been recorded with the appropriate County Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
5. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(d), modification of a docking facility adjacent or attached to a breakwater.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) [and (c) for tidal projects], (EDIT as needed), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on March 31, 2006. Field inspection determined the proposed canopy would not have adverse impacts to the waterbody.
6. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.

-Send to Governor and Executive Council-

MINOR IMPACT PROJECT

2005-01506 HERRICK, DAVID/MARLO
HOPKINTON Unnamed Wetland

Requested Action:

Dredge and fill 15,905 square feet of palustrine forested and emergent wetland for access to a proposed subdivision of 75.49 acres into twenty-two single family residential lots. Mitigate for the proposed impacts through preservation of 12.82 acres, 6.73 acres will be protected via conservation easement and 6.10 acres to be transferred to the town by warrantee deed.

APPROVE PERMIT:

Dredge and fill 15,905 square feet of palustrine forested and emergent wetland for access to a proposed subdivision of 75.49 acres

into twenty-two single family residential lots. Mitigate for the proposed impacts through preservation of 12.82 acres, 6.73 acres will be protected via conservation easement and 6.10 acres to be transferred to the town by warrantee deed.

With Conditions:

1. All work shall be in accordance with plans by TF Bernier Inc dated June 2005, and revised through June 20, 2005, as received by the Department on June 30, 2005.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
6. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
7. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, NH to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
9. Work shall be done during no flow conditions.
10. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
12. Proper headwalls shall be constructed within seven days of culvert installation.
13. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
14. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
15. Silt fencing must be removed once the area is stabilized.
16. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

Mitigation Conditions:

17. This permit is contingent upon the preservation of approximately 12.84 acres which includes 6.414 acres of wetlands and 6.413 acres of contiguous upland buffer. This land shall be protected to be protected as follows: 6.10 acres of land identified as Subdivision lot 99-22 shall be protected via warranty deed granted to the Town of Hopkinton with stewardship provided by the Conservation Commission, and 6.73 acres shall be protected via a conservation easement granted to the Hopkinton Conservation Commission across lots 99-9, 99-15, 99-16, 99-20, 99-21 and 99-23.
18. All mitigation shall be in accordance with plans prepared by TF Bernier Inc. dated December 2005, as received by the Department on February 7, 2006.
19. Lot 99-22, shall be conveyed to The Town of Hopkinton by Warrantee Deed and be under the stewardship of the Hopkinton Conservation Commission.
20. The restrictions to be placed on the open space/preservation areas, as outlined in the Warranty Deed and the Conservation Easement granted to the Conservation Commission shall be written to run with the land, and both existing and future property owners shall be subject to these restrictions.
21. DES Wetlands Bureau Staff shall review the restrictions of the proposed Warrantee Deed prior to recordation with the Merrimack County Registry of Deeds.
22. DES Wetlands Bureau Staff shall review the restrictions of the proposed conservation easement prior to the recordation with the Merrimack County Registry of Deeds.
23. A plan providing the boundaries of the preservation lot, Conservation Easement area and a stewardship plan shall be submitted to DES Wetlands Bureau for review prior to recordation with the Merrimack County Registry of Deeds.
24. A copy of the recording of the deed, easements, stewardship plan, and preservation lot plan, from the Merrimack County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.

25. The open space/preservation area boundaries shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to the start of construction.
26. The applicant or the applicant's agent shall supply a copy of the "Homeowner-ltr-form" and a copy of the recorded easement plan to each of the affected property owners.
27. Signs to indicate the location of and restrictions on the preservation areas shall be posted no further than every 150 feet along the boundary of the conservation areas prior to tree clearing for construction.
28. The logging activities in the open space/preservation area shall be severely limited by the Warranty Deed and the Easement.
29. There shall be no removal of the existing vegetative undergrowth within the preservation area and clear cut logging, the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.
30. Activities in contravention of the Warranty Deed or Conservation Easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Wt 303.04(f); and Administrative Rule Wt 303.03(l), projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Wt 303.04(n).
2. The applicant previously proposed a cluster development to limit impacts but the concept was not approved by the town.
3. The applicant is required to install a through road per the requirements of the town of Hopkinton.
4. All impact areas are for access to buildable uplands.
5. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
6. The applicant is unable to relocate the entrance to Annie Gunn Lane further to the west due to highly erodable steep slopes.
7. The applicant has agreed to install open bottom culverts on intermittent streams to maintain a natural stream channel.
8. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
9. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
10. The applicant has address all the requirements of Wt 304.09.
11. The Hopkinton Conservation Commission supports the proposed project and is willing to steward the conservation lands per their letter dated February 18, 2006.
12. The applicant will mitigate for the proposed impacts by preserving 12.8 acres of wetland and upland areas, this is in excess of the requirements of Chapter Wt 800.
13. The conservation lands consist of a large emergent/scrub shrub wetland and stream corridors into and out of this system.
14. The conservation lands were targeted for their habitat given the possible presence of wood turtles on the site.
15. The Conservation lands abut the "Open Space" land of "Brockwood Development" located on Map 209, 37.

2005-02011 ONEIL, ROBERT/ROSEMARY
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Construct a 13 ft by 18 ft perched beach with less than 10 cubic yards of sand, install a 4 ft by 24 ft seasonal dock on 69 ft of frontage on Lake Winnepesaukee, Moultonboro.

Conservation Commission/Staff Comments:

Con Com concerned about past discrepancies, both docks are in violation of permits per Con Com

APPROVE PERMIT:

Construct a 13 ft by 18 ft perched beach with less than 10 cubic yards of sand, install a 4 ft by 24 ft seasonal dock on 69 ft of frontage on Lake Winnepesaukee, Moultonboro.

With Conditions:

1. All work shall be in accordance with plans by Lakeshore Construction dated March 24, 2006, as received by the Department on March 24, 2006.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
4. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 504.32). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
6. The steps installed for access to the water shall be located completely landward of the normal high water line.
7. No more than 10 cu yd of sand may be used and all sand shall be located above the normal high water line.
8. This permit shall be used only once, and does not allow for annual beach replenishment.
9. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
10. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
11. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
12. This shall be the only docking structure on this water frontage and all portions of the dock shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
13. Seasonal pier shall be removed from the lake for the non-boating season.
14. No portion of the pier shall extend more than 24 feet from the shoreline at full lake elevation.
15. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(d) and (a) construction of a beach and construction of a seasonal dock
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The proposed plan addresses the complaint filed about the dock location and size.

2005-02264 HCH REAL ESTATE TRUST
MANCHESTER Unnamed Wetland

Requested Action:

Dredge and fill 4,434 square feet of a man made drainage ditch and palustrine emergent wetland to construct storage facility.

Inspection Date: 04/04/2006 by William A Thomas

APPROVE PERMIT:

Dredge and fill 4,434 square feet of a man-made drainage ditch and disturbed palustrine emergent and forested wetlands to construct a self-storage facility. Work to include moving the drainage ditch approximately 10 feet to the west of the existing ditch and constructing a new 5,490 square foot wetland treatment swale.

With Conditions:

1. All work shall be in accordance with plans by SFC Engineering Partnership Inc., Erosion Control Details, revision dated September 2, 2005, as received by the Department on December 27, 2005, Wetland Impact Plan and Wetland Mitigation Plan, dated September 15, 2005, as received by the Department on March 6, 2006.
2. This permit is contingent on approval by the DES Site Specific Program.
3. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

4. This permit is contingent on submittal of a tree inventory of the Natural Woodland Buffer in accordance with the Shoreland Protection Act RSA 483-B and Administrative Rules Env-Ws. The tree inventory shall include all of the information required by Env-Ws 1409.03. This includes the number, location, species, basal area, and distribution of trees existing within the Natural Woodland Buffer on the property. The inventory shall be submitted to the Department for review and approval by August 31, 2006. No tree cutting or removal of vegetation within the Natural Woodland Buffer shall be conducted until the tree inventory is reviewed and approved by the Department.
5. Work shall be done during low flow.
6. The wetland mitigation "wetland swale" area shall be planted with a native wetland seed mix.
7. A certified wetland scientist ("CWS") shall prepare and submit to DES a follow-up monitoring within 60-days following the completion of the wetland swale. An additional report shall be submitted after one complete growing season following completion of the wetland swale. The reports shall include photographs of the wetland swale and narratives documenting the success of the swale as a functioning wetland.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. There shall be no further alteration of wetlands for lot development.
10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
11. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
13. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
14. Silt fencing must be removed once the area is stabilized.
15. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).1. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
16. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h). Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The New Hampshire Fish and Game Department (NHFG) searched their records and found that the Blanding's turtle, a species of concern, was identified in the vicinity of the proposed project. NHFG recommended that any drainage arising from the new drainage ditch not be allowed to enter Cohas Brook and if the old drainage area is a pond or detention basin it should be filled during low water levels.
6. The proposed wetland impacts are within a man made drainage ditch and emergent wetlands located on a disturbed site.
7. The proposed project area is highly disturbed and contains many areas of exposed soil.
8. This permit is contingent on approval by the DES Site Specific Program, which requires treatment of stormwater.
9. The proposed drainage/treatment swales and level spreaders for the project are located approximately 60 to 100 feet from Cohas Brook and wetlands adjacent to Cohas Brook.
10. This permit is contingent on low flow conditions.
11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B.
12. The Manchester Conservation Commission did not submit comments regarding the proposed project.
13. The Department did not receive any comments from abutters regarding the proposed project.
14. The Department raised concerns regarding the identification of a stream on the proposed Wetland Impact Plan, received by the

Department on March 6, 2006. The stream appears to be located and drain to the southwest of the proposed wetland impact area to Cohas Brook. The stream was not indicated on the Existing Conditions Plan received by the Department on December 27, 2005. The Existing Conditions Plan is stamped by a Certified Wetland Scientist.

15. The Department conducted an inspection on April 4, 2006 and confirmed that there is no jurisdictional stream or wetland draining to the southwest of the proposed wetland impact area, as depicted on the Wetland Impact Plan.

16. During the inspection the Department observed that erosion from the existing site is entering the proposed wetland impact area. The owner was instructed to install and maintain appropriate erosion, sediment and turbidity controls on the site. The agent for the project was instructed to submit photographs of the installed erosion, sediment and turbidity controls to the Department within 5-days.

2005-02834 HOGDDON, GRAYDON
TUFTONBORO Unnamed Wetland

Requested Action:

Impact a total of 8214 square feet to upgrade an existing road to town standards in the subdivision of 87.7 acres into 25 single family residential lots further described as follows: Retain 5990 square feet of previous impact and fill 2224 square feet of palustrine scrub shrub wetland.

Conservation Commission/Staff Comments:

The conservation commission signed the minimum impact application.

APPROVE PERMIT:

Impact a total of 8214 square feet to upgrade an existing road to town standards in the subdivision of 87.7 acres into 25 single family residential lots further described as follows: Retain 5990 square feet of previous impact and fill 2224 square feet of palustrine scrub shrub wetland.

With Conditions:

1. All work shall be in accordance with plans by TriTech Engineering Corp dated November 15, 2005, and revised through February 20, 2006, as received by the Department on March 9, 2006.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
6. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
7. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, NH to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
9. Work shall be done during low flow.
10. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
12. Proper headwalls shall be constructed within seven days of culvert installation.
13. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Silt fencing must be removed once the area is stabilized.
15. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices

for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Wt 303.04(f).
2. The wetland occurs at the only access to the site from a class V roadway.
3. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
4. The roadway incorporates the previously disturbed area and also incorporates some upland islands.
5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
6. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
7. The impacts occur within 20 feet of the property line shared with tax map 60 lot 1-8. The applicant has requested written permission from the abutting property owner but has not received assent.
8. On March 9, 2006, the applicant submitted a request to DES to waive the criteria of Rule Wt 304.04(a), relative to the 20' abutter setback. The applicant has demonstrated that the criteria specified in Rule 204.04 relative to a granting waiver request have been met, and DES therefore waives the requirements of Wt 304.04, Setback from Property Lines.
9. The applicant has demonstrated that this is the most reasonable alternative for the site in accordance with Rules Wt 302.03 and Wt 204.
10. The applicant has demonstrated that this project will not result in increased environmental impact.

2006-00048 DAUTEUIL, DONALD
ALTON Lake Winnepesaukee

Requested Action:

Construct a 6 ft by 25 ft seasonal dock attached to a 6 ft by 10 ft walkway in a modified "T" configuration attached to a 6 ft by 4 ft concrete pad, install a seasonal boatlift in the slip provided and install a seasonal PWC lift south of the dock, providing one boatslip on and average of 122 ft of frontage in Lake Winnepesaukee, Alton.

Conservation Commission/Staff Comments:

Con Com recommends denial

NH NHI and NH Fish and Game will not be submitting comments

APPROVE PERMIT:

Construct a 6 ft by 25 ft seasonal dock attached to a 6 ft by 10 ft walkway in a modified "T" configuration attached to a 6 ft by 4 ft concrete pad, install a seasonal boatlift in the slip provided and install a seasonal PWC lift south of the dock, providing one boatslip on and average of 122 ft of frontage in Lake Winnepesaukee, Alton.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated January 4, 2006, as received by the Department on January 9, 2006.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
4. These shall be the only structures on this water frontage and all portions of the structures shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

6. Seasonal pier shall be removed from the lake for the non-boating season.
7. No portion of the pier shall extend more than 25 feet from the shoreline at full lake elevation.
8. The seasonal boatlift and seasonal PWC lift shall be removed for the non-boating season.
9. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(d), construction of a docking system provides for more than 4 slips including previously existing boat slips.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. DES Staff conducted a field inspection of the proposed project on December 28, 2004. Field inspection determined the existing previously permitted permanent docking facility used the combined frontages of two lots to satisfy the frontage requirements for slip density.
5. The addition of a one slip docking facility on this frontage in combination with the existing docking system does not exceed the combined slip density for the combined frontages.
6. The local Conservation Commissions concerns about the proposed structure exceeding the slip density requirements has been addressed by the proposed docking structure.

2006-00342 LEBANON, CITY OF
LEBANON Boston Lot Lake Reservoir

Requested Action:

Dredge and fill 8,640 square feet of wetlands (which includes approximately 2,960 square feet of wetlands impact and approximately 760 square feet of perennial stream impact for new construction and approximately 4,920 square feet of lake bed and bank impact for maintenance and repair) for dam rehabilitation including reconstruction of the upgradient and downgradient portion of the dam, reconstruction of dam spillway, and construction 12-inch drain line.

Conservation Commission/Staff Comments:

Lebanon Con Com recommended NHDES approve the application as submitted.

Hit for both F&G and NHB. No comments from NHB. F&G recommended drawdown begin after April 1 and before October 1.

APPROVE PERMIT:

Dredge and fill 8,640 square feet of wetlands (which includes approximately 2,960 square feet of wetlands impact and approximately 760 square feet of perennial stream impact for new construction and approximately 4,920 square feet of lake bed and bank impact for maintenance and repair) for dam rehabilitation including reconstruction of the upgradient and downgradient portion of the dam, reconstruction of dam spillway, and construction 12-inch drain line.

With Conditions:

1. All work shall be in accordance with plans by Pathways Consulting, LLC dated February 2006, as received by the Department on February 21, 2006; and revised plans dated March 2006, as received by the Department on March 14, 2006; and revised plans dated April 2006, as received by the Department on April 04, 2006
2. This permit is contingent on approval by the DES Dam Safety Program.
3. This permit is contingent on review and written approval, by the DES Wetlands Bureau, of the final sheet pile cofferdam design, final sheet pile retaining wall design, and the final means and methods for abandoning the existing water main in-place.
4. The applicant shall notify the NHDES Wetlands Bureau in writing no less than five (5) days prior to the commencement of construction.
5. Work shall be done during low flow and drawdown conditions.
6. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no

turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.

9. The spillway crest elevation shall not change.

10. There shall be no excavation or operation of construction equipment in flowing water.

11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

12. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.

13. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.

14. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.

15. Temporary cofferdams shall be entirely removed immediately following construction.

16. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

16. A post-construction report documenting status of the repaired dam shall be submitted to the Wetlands Bureau within sixty (60) days of the completion of construction.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), alteration of less than 20,000 square feet of wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters.

2. The NHDES Dam Bureau issued an Administrative Order (AO) to the City of Lebanon on December 27, 2004, which classified the earthen dam as a "dam in disrepair." The AO provided the City with two options and the completion date of fall of 2006. The City could either repair the existing dam or breach the dam and eliminate the reservoir.

3. Repairing the dam will preserve the existing resource.

4. Repairs will maintain the existing size of the dam and include the reconstruction of the down gradient portion of the dam, reconstruction of dam spillway, and construction 12-inch fused HDPE siphon.

5. The 12-inch fused HDPE siphon will maintain downstream flows during construction.

6. The spillway crest elevation will not change and; therefore, there will be no significant changes in post-construction downstream flows.

7. It was determined Horizontal Direction Drilling (HDD) methods for the installation of the siphon drain pipe would result in drainage of the pond and therefore HDD was determined an inappropriate method of installation.

8. Stream impacts from siphon outlet could not be avoided; outlet must be set at specific elevation.

9. No concerns were submitted from the Lebanon Conservation Commission or the Natural Heritage Bureau.

10. The NH Department of Fish and Game Department recommended drawdown begin after April 1 and is completed before October 1.

11. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

12. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

13. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

MINIMUM IMPACT PROJECT

2004-02588

CHASE, ORRIN H

AUBURN Unnamed Wetland

Requested Action:

Approve name change to: Joseph F McDowell, III, 282 river Rd., PO Box 3360, Manchester NH 03105 3360 per request received 3/31/2006.

Conservation Commission/Staff Comments:

Con. Com. recommended approval.

APPROVE NAME CHANGE:

Dredge and fill a total of 2,842 square feet in wetlands including 916 square feet to install a 12" x 26' culvert; 60 square feet to install a 12" x 22' culvert; and 1,866 square feet to install a 24" x 24' culvert to provide driveway access to a single family house lot on 6.11 acres.

With Conditions:

1. All work shall be in accordance with plans by Burd Engineering dated 8/18/04 with culvert dimensions as provided by A & D Klum Environmental dated 11/29/04 as received by the Department on 12/1/04 and per Conservation Commission letter received 12/13/04.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. Culvert outlets shall be properly rip rapped.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. Work shall be done during low flow.

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Wt 502.02.

2005-02832 POLLINO, LAURIE/ROBERT
MOULTONBOROUGH Unnamed Wetland

Requested Action:

Dredge and fill 150 square feet of palustrine forested wetland, including installation of a 12-inch x 23 foot culvert for access to a proposed single family residence.

Conservation Commission/Staff Comments:

The conservation commission signed the minimum impact application.

APPROVE PERMIT:

Dredge and fill 150 square feet of palustrine forested wetland, including installation of a 12-inch x 23 foot culvert for access to a proposed single family residence.

With Conditions:

1. All work shall be in accordance with plans by Bollenger Associates dated February 2006, as received by the Department on February 12, 2006.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Work shall be done during periods of non-flow.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

6. Proper headwalls shall be constructed within seven days of culvert installation.
7. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
8. Area of existing road impact shall be regraded to original contours.
9. Mulch within the restoration area shall be straw.
10. Seed mix within the restoration area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers specifications. The receipt and contents of the wetland mix shall be supplied to NHDES within 10 days of application.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
13. A post-construction report documenting the status of the restored jurisdictional area, including photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f, projects involving alteration of less than 3,000 square feet in swamps or wet meadows.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant will restore the previously impacted wetland areas.

2005-02856 GARBER, WOODWARD
SANDWICH Unnamed Wetland

Requested Action:

Dredge and fill 2,050 square feet of palustrine forested wetlands to install a 12-inch x 24 foot HDPE culvert for common driveway access to two lots in a three lot subdivision on approximately 100.07 acres.

APPROVE PERMIT:

Dredge and fill 2,050 square feet of palustrine forested wetlands to install a 12-inch x 24 foot HDPE culvert for common driveway access to two lots in a three lot subdivision on approximately 100.07 acres.

With Conditions:

1. All work shall be in accordance with plans by Hambrook Land Surveying dated February 28, 2006, as received by the Department on March 06, 2006.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. This permit is contingent upon the receipt of evidence of the final lot numbers.
4. A permit amendment shall be requested by the applicant if final lot numbers are different than stated in this permit.
5. There shall be no further alteration of wetlands on lots 16A (8.10 acres) and 16B (7.47 acres) for lot development, driveways, culverts, or for septic setback.
6. The property owner of the remaining lot 16 (approximately 84.5 acres) shall have the wetlands and surface waters on the remaining lot (16) delineated by a Certified Wetland Scientist prior to any future subdivision or alteration of wetlands or surface waters.
7. The deed which accompanies the sales transaction for lots 16A (8.10 acres) and 16B (7.47 acres) in this subdivision shall contain condition #5 of this approval.

8. The deed which accompanies the sales transaction for remaining lot 16 (approximately 84.5 acres) shall contain condition #6 of this approval.
9. Work shall be done in low flow conditions.
10. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
11. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
12. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
13. Proper headwalls shall be constructed within seven days of culvert installation.
14. Culverts shall be laid at original grade.
15. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
16. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during access road construction and areas cleared of vegetation to be revegetated with native like species within three days of the completion of this project.
17. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of swamp.
2. A alternate common driveway location was evaluated and given municipal setbacks it was determined wetland impacts would not be significantly reduced.
3. The overall wetland delineation submitted for the remaining lot 16 (approximately 84.5 acres) is conceptual and derived from the U.S. Fish and Wildlife Service.
4. As a condition of this permit, prior to any future subdivision or alteration of wetlands or surface waters of the remaining lot 16 (approximately 84.5 acres) will require delineation of the remaining lot (16) by a Certified Wetland Scientist.
5. No comments were submitted from the NH Fish and Game Department, NH Natural Heritage Bureau, or the Sandwich Conservation Commission.
6. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
7. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
8. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2006-00507 ROOD, JANE
MEREDITH Lake Winnepesaukee

Requested Action:

Install a 6 ft x 50 ft seasonal pier hinged to a 4 ft x 6 ft concrete pad, install one seasonal boatlift and two seasonal PWC lifts on 93.5 ft of frontage in Meredith on Lake Winnepesaukee.

APPROVE PERMIT:

Install a 6 ft x 50 ft seasonal pier hinged to a 4 ft x 6 ft concrete pad, install one seasonal boatlift and two seasonal PWC lifts on 93.5 ft of frontage in Meredith on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction as received by the Department on March 9, 2006.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.

4. Seasonal pier, PWC lifts and boat lift shall be removed from the lake four months during the non-boating season.
5. No portion of the pier shall extend more than 50 ft feet from the shoreline at full lake elevation.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Concrete anchoring pad shall be installed landward and above the normal high water mark elevation 504.32.
8. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(a), construction of a seasonal pier to provide no more than 2 boat slips.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2006-00626 PEPIN, LEO
BERLIN Unnamed Stream

COMPLETE NOTIFICATION:
Berlin Tax Map 137, Lot# 135

FORESTRY NOTIFICATION

2006-00611 KIDDER & CLEVELAND FAMILY TRUSTS C/O MARILYN KIDDE
NEW LONDON Unnamed Stream

COMPLETE NOTIFICATION:
New London Tax Map 101, Lot# 1

2006-00612 KIDDER & CLEVELAND FAMILY TRUSTS C/O MARILYN KIDDE
SUTTON Unnamed Stream

COMPLETE NOTIFICATION:
Sutton Tax Map 9, Lot# 44 & 366

2006-00617 CHASE, MICHAEL / DONALD R. / LIN
GRAFTON Unnamed Stream

COMPLETE NOTIFICATION:
Grafton tax Map 11, Lot# 134, 1053

2006-00618 HARRIS, RANDY
PIERMONT Unnamed Stream

COMPLETE NOTIFICATION:

Piermont Tax map R2, lot# 5

2006-00619 DURGIN, MARK / PATRICIA
ALLENSTOWN Unnamed Stream

COMPLETE NOTIFICATION:

Allenstown Tax Map 402, Lot# 153

2006-00622 KANIA, EDWIN M. JR / CAROL A.
SHARON Unnamed Stream

COMPLETE NOTIFICATION:

Sharon Tax map 5, Lot# 16

2006-00623 KANIA, EDWIN M. JR / CAROL A.
PETERBOROUGH Unnamed Stream

COMPLETE NOTIFICATION:

Peterboro Tax Map R2, Lot# 43, 44 & 46

EXPEDITED MINIMUM

2005-02719 WINDYHURST FARM
SWANZEY

Requested Action:

Restore 1,400 square feet of palustrine scrub-shrub and emergent wetlands to recreate a previously filled intermittent stream channel and replace a 24-inch x 25-foot culvert to improve surface water drainage and provide access for an active agricultural operation.

Conservation Commission/Staff Comments:

The Conservation Commission reviewed the proposed project but did not submit comments.

Inspection Date: 12/15/2005 by Christine Bowman

Inspection Date: 03/13/2006 by Collis G Adams

APPROVE PERMIT:

Restore 1,400 square feet of palustrine scrub-shrub and emergent wetlands to recreate a previously filled intermittent stream channel and replace a 24-inch x 25-foot culvert to improve surface water drainage and provide access for an active agricultural operation.

With Conditions:

1. All work shall be in accordance with plans by David A. Mann dated November 9, 2005, as received by the DES Wetlands Bureau on November 15, 2005.

2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
4. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. All work shall adhere to the standards of the "Best Management Wetlands Practices for Agriculture," NH Dept. of Agriculture, dated July 16, 1993, amended September 1998.
6. Any change in use to a non-agricultural purpose will require further permitting by the DES Wetlands Bureau.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. Work shall be done during low flow.
10. The applicant shall provide photographs of the project to the DES Wetlands Bureau within 10 days of the completion of work.
11. The applicant shall provide photographs of the project to the DES Wetlands Bureau taken near the end of the first growing season following completion of the work. The photographs shall be submitted no later than November 1, 2006 and clearly depict the completed stream and wetland restoration.
12. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
13. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
14. Faulty equipment shall be repaired prior to entering jurisdictional areas.
15. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
16. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01. The project is necessary for a preexisting and ongoing agricultural operation. Fill previously placed in the intermittent stream channel causes water to backup into the farm field affecting crops. Restoration of the intermittent stream channel is necessary for the proper conveyance of surface water around the farm field. Replacement of the culvert is necessary to maintain access via the field access road.
3. The applicant has obtained an easement across the abutter's property to construct, maintain, use, and repair a surface water drainage ditch.
4. Per Wt 304.04, the applicant supplied a written agreement from the affected abutter concurring with any impact that may result relative to the abutter's interests.
5. The Conservation Commission reviewed the proposed project and did not submit comments.
6. The Ashuelot River Local Advisory Committee reviewed the proposed project and had no comments.

2006-00369 **BECHT TRUST, RAYLENE**
RYE **Sagamore Creek / Back Channel**

Requested Action:

Impact 904 square feet within the 100-foot tidal buffer zone and below the high tide line for the removal of an existing deteriorated 8'x 113' paved boat ramp located on a lot with approximately 65 feet of shoreline frontage on the back channel to Little Harbor.

Conservation Commission/Staff Comments:

The Rye Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Impact 904 square feet within the 100-foot tidal buffer zone and below the high tide line for the removal of an existing deteriorated 8'x 113' paved boat ramp located on a lot with approximately 65 feet of shoreline frontage on the back channel to Little Harbor.

With Conditions:

1. All work shall be in accordance with plans by Pickering Marine Corporation dated February 14, 2006, as received by the Department on February 23, 2006.
2. DES Coastal staff shall be notified in writing prior to commencement of work and upon its completion.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
5. Work shall be done during low tide only.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Excavated material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Area shall be regraded to original contours following completion of work.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(o) Projects deemed minimum impact by the department based on the degree of environmental impact.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01, as owner wishes to permanently remove the boat ramp from the frontage.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03, as the boat ramp will be completely removed and the area will be planted with vegetation, thereby restoring the permeability of the slope leading towards the water.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2006-00465 THISTLE, WAYNE
LOUDON Unnamed Wetland**

Requested Action:

Dredge and fill 278 square feet of palustrine forested wetland including installation of a 12-inch x 30 foot culvert for driveway access in the subdivision of 33.6 acres into 4 single family residential lots.

APPROVE PERMIT:

Dredge and fill 278 square feet of palustrine forested wetland including installation of a 12-inch x 30 foot culvert for driveway access in the subdivision of 33.6 acres into 4 single family residential lots.

With Conditions:

1. All work shall be in accordance with plans by Brown Engineering dated January 2, 2006, as received by the Department on March 6, 2006, and Subdivision Plans by FWS Survey dated January 2, 2006, and revised through January 25, 2006 as received by the Department on March 6, 2006.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.

5. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Work shall be done during low flow.
8. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
11. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2006-00504 RIVER REACH BOAT CLUB, TONY TRIOLO
MELVIN VILLAGE Lake Winnepesaukee**

Requested Action:

Repair/Replace six 2 ft x 24 ft piling piers and a 5 ft x 120 ft concrete walkway on 120 ft of frontage in Melvin Village on Lake Winnepesaukee.

APPROVE PERMIT:

Repair/Replace six 2 ft x 24 ft piling piers and a 5 ft x 120 ft concrete walkway on 120 ft of frontage in Melvin Village on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Beckwith Builders dated February 27, 2006, as received by the Department on March 9, 2006.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Repair shall maintain originally permitted dimensions, locations, and configuration.
4. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
6. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas

shall be avoided.

8. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
9. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. Applicant adequately addressed landowner concerns dealing with pier spacing to accomodate equally sized boat slips throughout the facility.

2006-00505 WEST POINT ASSOCIATION
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Repair/Replace existing major docking facility consisting of a 4 ft x 95 ft pier with eight 2 ft x 20 ft finger piers and 7 tie-off pilings on 215 ft of frontage in Moultonboro on Lake Winnepesaukee.

APPROVE PERMIT:

Repair/Replace existing major docking facility consisting of a 4 ft x 95 ft pier with eight 2 ft x 20 ft finger piers and 7 tie-off pilings on 215 ft of frontage in Moultonboro on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated February 24, 2006, as received by the Department on March 9, 2006.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Repair shall maintain existing size, location and configuration.
4. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
6. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
8. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
9. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

GOLD DREDGE

2006-00648 DEARBORN, VIRGINIA
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc: Bath Con Comm

APPROVE PERMIT:
Gold Dredge

LAKES-SEASONAL DOCK NOTIF

2006-00639 MERROW, CHARLES
CENTER OSSIPEE Unnamed Wetland Ossipee Lake

COMPLETE NOTIFICATION:
Seasonal Dock - Center Ossipee NH Tax Map# 43
Lot#59 Ossipee Lake

2006-00682 GILL, NORMAN
MOULTONBOROUGH Lake Winnepesaukee

COMPLETE NOTIFICATION:
Seasonal Dock - Moultonboro NH Tax Map#38
Lot#19 Winnepesaukee Lake

2006-00685 DOBSON, BRIAN
WASHINGTON Highland Lake

COMPLETE NOTIFICATION:
Seasonal Dock - Washington NH Tax Map#24
Lot#125 Highland Lake

ROADWAY MAINTENANCE NOTIF

2006-00651 **NH DEPT OF TRANSPORTATION**
ROCHESTER **Unnamed Stream**

PERMIT BY NOTIFICATION

2005-02708 **CLARK, KENNETH**
BARNSTEAD **Upper Suncook Lake**

Requested Action:

Repair/Replacement of existing retaining wall.

Conservation Commission/Staff Comments:

Untimely response disqualification

PBN DISQUALIFIED:

Repair/Replacement of existing retaining wall.

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

2006-00613 **FLOOD, CHARLES & LUANN**
PLYMOUTH **Unnamed Stream**

Requested Action:

Dredge and fill a total of 250 square feet along 30 feet of intermittent stream for access to a proposed single family structure.

PBN IS COMPLETE:

Dredge and fill a total of 250 square feet along 30 feet of intermittent stream for access to a proposed single family structure.

2006-00614 **BEAUBOEUF, ANDRE & NICOLE BOUCHER**
SANDWICH **Unnamed Wetland**

Requested Action:

Deny application to dredge and fill 300 square feet of forested wetlands to install a 12-inch x 10-foot ABS plastic corrugated culvert

extension to a previously permitted 12-inch x 20-foot ABS plastic culvert (Posting Permit 1994-00692). Access is to a single family residence.

Conservation Commission/Staff Comments:

Related file 1994-00692:

Waterbody/Wetland: Unnamed stream

Description: Fill 40 square feet and install a culvert to provide access to a 21 acre parcel following a subdivision of a 7 acre parcel along route 109.

PBN DISQUALIFIED:

Deny application to dredge and fill 300 square feet of forested wetlands to install a 12-inch x 10-foot ABS plastic corrugated culvert extension to a previously permitted 12-inch x 20-foot ABS plastic culvert (Posting Permit 1994-00692). Access is to a single family residence.

With Findings:

1. The project is disqualified per Rule Wt 506.01, the proposed project does not qualify for the PBN process.